

ATTACHMENT NO. 1

SUGGESTED FINDINGS FOR APPROVAL

ZONING TEXT AMENDMENT NO. 03-01

SUGGESTED FINDINGS FOR APPROVAL – ZONING TEXT AMENDMENT NO. 03-01:

1. Zoning Text Amendment No. 03-01 to amend Chapter 203 and Chapter 230 of the Zoning and Subdivision Ordinance is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable specific plan because the amendments clarify the definitions for certain terms relating to walls and fences, expand the public notification to include property owners who face the rear of through lots, and specifies design criteria for walls at the rear of through lots. The zoning text amendment will allow for greater public participation and the design criteria established will create a uniform design standard for wall design.
2. In the case of a general land use provision, the zoning text amendment is compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. The amendment will result in increased compatibility between properties based on a standardized block wall design at the rear of through lots.
3. A community need is demonstrated for the change. The need for expanded notification for conditional use permits on residential through lots and design criteria for block walls is desired by the community.
4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice by codifying definitions and design criteria that that will regulate the development of block walls at the rear of through lots and protects the general welfare of the public through additional notification requirements.

Recommended Action No. 1

G-2c

Intentionally

left

Blank

ORDINANCE NO. 3692

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING THE HUNTINGTON BEACH ZONING AND SUBDIVISION
ORDINANCE BY AMENDING SECTIONS 203.06 AND 230.88
THEREOF RELATING TO DEFINITIONS, AND FENCING AND YARDS

WHEREAS, pursuant to the California State Planning and Zoning Law, the Huntington Beach Planning Commission and Huntington Beach City Council have held separate, duly noticed public hearings to consider a Zoning Text Amendment, which amends Sections 203.06, and 230.88 of the Huntington Beach Zoning and Subdivision Ordinance relating to definitions, and fencing and yards; and

After due consideration of the findings and recommendations of the Planning Commission and all other evidence presented, the City Council finds that the aforesaid amendment is proper and consistent with the General Plan,

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. That Sections 203.06 and 230.88 of the Huntington Beach Zoning and Subdivision Ordinance are hereby amended in accordance with the Legislative Draft provided in Attachment A.

SECTION 2. This ordinance shall take effect thirty days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 200__.

ATTEST:

City Clerk

Mayor

REVIEWED AND APPROVED:

Penelope Culbertson
City Administrator

APPROVED AS TO FORM:

Jennifer McFelix
City Attorney

LHM 11/22/04

INITIATED AND APPROVED:

[Signature]
Director of Planning

Recommended action No. 2

G-2 c. 2

ORDINANCE NO. 3692
LEGISLATIVE DRAFT

203.06 Definitions

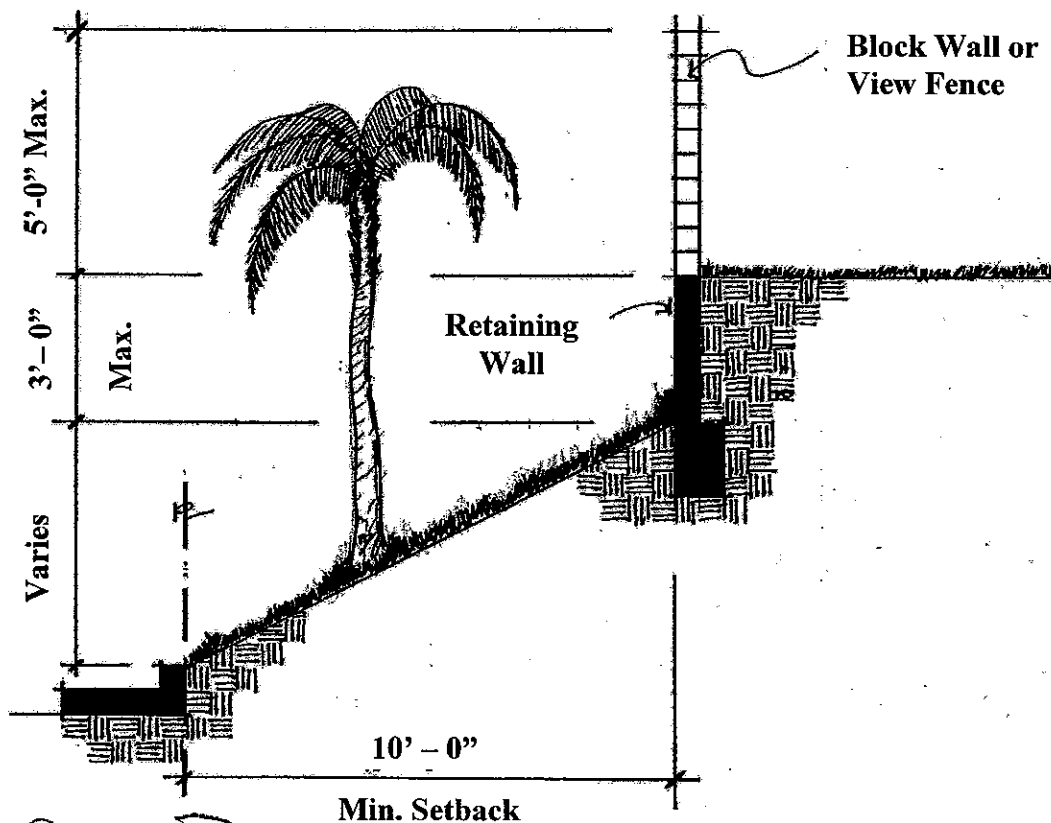
Frontage, Primary. The portion of a residential through lot that extends along the front property line adjacent to a local street.

Frontage, Secondary. The portion of a residential through lot that extends along the rear property line adjacent to a local street.

230.88 Fencing and Yards

A. Permitted Fences and Walls.

3. Fences or walls within the rear yard setback area along the secondary frontage of a through lot shall not exceed 42 inches in height. This subsection shall not apply to lots abutting arterial highways. Fences or walls that exceed 42 inches in height, and are located within the secondary frontage of a through lot, may be permitted provided they comply with the following design criteria:
 - a. A combination retaining and block wall with a maximum height of eight (8) feet, measured from the adjacent grade, shall be located at a ten-foot setback from the rear property line.
 - b. The maximum height of the retaining wall shall be three (3) feet and the maximum height of the block wall or view fence shall be five (5) feet. (See Exhibit Below)



G-2c.3

LEGISLATIVE DRAFT

11. Deviations from the maximum height requirements for walls as prescribed by this Section may be permitted subject to an approval of conditional use permit by the Zoning Administrator. **Deviations from the maximum height requirements for walls as prescribed for a through lot abutting a local street, may be permitted subject to an approval of a variance by the Zoning Administrator. In addition to the standard notification process, the notification requirements shall include all properties that that face the secondary frontage of a through lot along the entire block.**

G-2c.4

Intentionally
Left
Blank